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**BZA-1716**  
**BETA SIGMA CHAPTER OF SIGMA KAPPA**  
**Variance**

**STAFF REPORT**  
**May 18, 2006**

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**REQUEST MADE, PROPOSED USE, LOCATION:**

Petitioner, represented by Eric Holt of RDS Design, Inc. and attorney Joseph T. Bumbleburg, is requesting a variance to allow a vegetative coverage of 27.1% instead of the required minimum coverage of 30% for the Sigma Kappa sorority near Purdue campus. The proposed improvements to the sorority include a 665 sq. ft. addition to the dining area, remodeling 2 porches, constructing a new patio and upgrading of on-site walkways and steps. The lot is located at 427 Russell Street in West Lafayette, Wabash 19(NE) 23-4.

**AREA ZONING PATTERNS:**

This site and land to the north, east and south is zoned R3W, except for one lot directly east across Russell Street that is zoned PDRS. Land to the west is owned by Purdue University and is not under the jurisdiction of the zoning ordinance.

Several variances have been heard in the past in this 2 ½ block wide area of West Lafayette. The majority of these requests were regarding a reduction in parking standards for various campus organizations. The most recent fraternity case, heard by the Board in December, was for the Phi Kappa Psi fraternity located at 359 Northwestern Avenue. All four variances for building height, setbacks and parking were either denied or withdrawn (BZA-1697).

**AREA LAND USE PATTERNS:**

The land uses in this area are largely associated with Purdue University and include fraternities, sororities, multi-family structures (including dormitories) and other student organizations. A walkway in an easement on the north side of the property is used by students to get to and from dormitories to the west.

**TRAFFIC AND TRANSPORTATION:**

The sorority house is located on Russell Street, which is classified as an urban local road in *The Thoroughfare Plan*.

Because occupancy would not be increased by the proposed 665 sq. ft. building addition, no additional parking is required. The existing thirteen parking spaces on the lot will be slightly reconfigured to accommodate new landscaping. The submitted site plan shows five existing parking spaces on the west side of the property that appear to

encroach on the adjoining lot.

#### **ENVIRONMENTAL AND UTILITY CONSIDERATIONS:**

Sanitary sewer and water serve the site.

#### **STAFF COMMENTS:**

This request has been filed because the Sigma Kappa sorority would like to add on to their existing structure and rehabilitate sidewalks and steps around their house. Petitioner's representative met with West Lafayette officials and it was determined that the proposed 665 sq. ft. dining room addition would still keep the lot coverage complying (40% maximum), but the *existing* vegetative coverage was non-complying at 29.3% (30% minimum). The addition of two new porches, a new patio and sidewalk work would reduce the vegetative coverage to 27.1%. Petitioners' original request was for a vegetative coverage of 24%, but the request has now been reduced by adding 4 new landscaped areas surrounding the house. While the new porches, patio and sidewalks would enhance the streetscape and improve safety, it would still make a non-complying situation more non-complying.

Staff understands that in order to rebuild and enlarge the two porches and upgrade walkways, some green space may have to be sacrificed. The addition of 4 new landscaped areas, totaling 705 sq. ft., helps to off-set some of this loss and staff applauds this effort. In fact, with these four new areas, (and because the proposed dining room addition is within an existing paved area) vegetative coverage with the new porches and walkways proposed, would equal 29.2%, a difference of only 0.1% from the existing situation. However, replacing 467 sq. ft. of vital green space on the north side of the house with a patio, to a lot already short on green space, thereby increasing the non-compliance to 27.1%, is not supportable.

The fact remains that the lot is currently non-complying with regard to vegetative coverage and the more logical variance request would be for a vegetative coverage based on just the porch remodeling and sidewalk improvements. The submitted site plan shows the removal of one tree on the north side of the building where the new 467 sq. ft. patio is proposed. Even though a new tree is shown in the landscaping next to the patio, it makes little sense to remove a mature tree and healthy grass and increase the impervious surface of this non-complying lot. No compelling reason exists to treat this sorority different from others in the same zoning district and staff cannot support this request.

Regarding the ballot items:

1. The Area Plan Commission at its April 19, 2006 meeting determined that the variance requested **IS NOT** a use variance.

And it is staff's opinion that:

2. Granting this variance **WILL NOT** be injurious to the public health, safety, and

general welfare of the community. The building addition will have no negative impact on health, safety and welfare, in fact the upgraded sidewalks and steps will improve the safety and welfare of the community.

3. Use and value of the area adjacent to the property included in the variance request **WILL NOT** be affected in a substantially adverse manner because the proposed work will enhance the appearance of the property and the neighborhood.
4. The terms of the zoning ordinance are being applied to a situation that **IS** common to other properties in the same zoning district. Even though the size of R3W zoned lots may vary greatly, there are many fraternal organizations on lots of similar size. There is nothing unusual about the shape, size or topography of this lot.
5. Strict application of the terms of the zoning ordinance **WILL NOT** result in an unusual or unnecessary hardship as defined in the zoning ordinance. It is possible for the dining addition to be built without the need for variance. If this variance is not granted, the sorority would still be fully functional. The desire to create more patio space cannot be considered an ordinance-defined hardship.

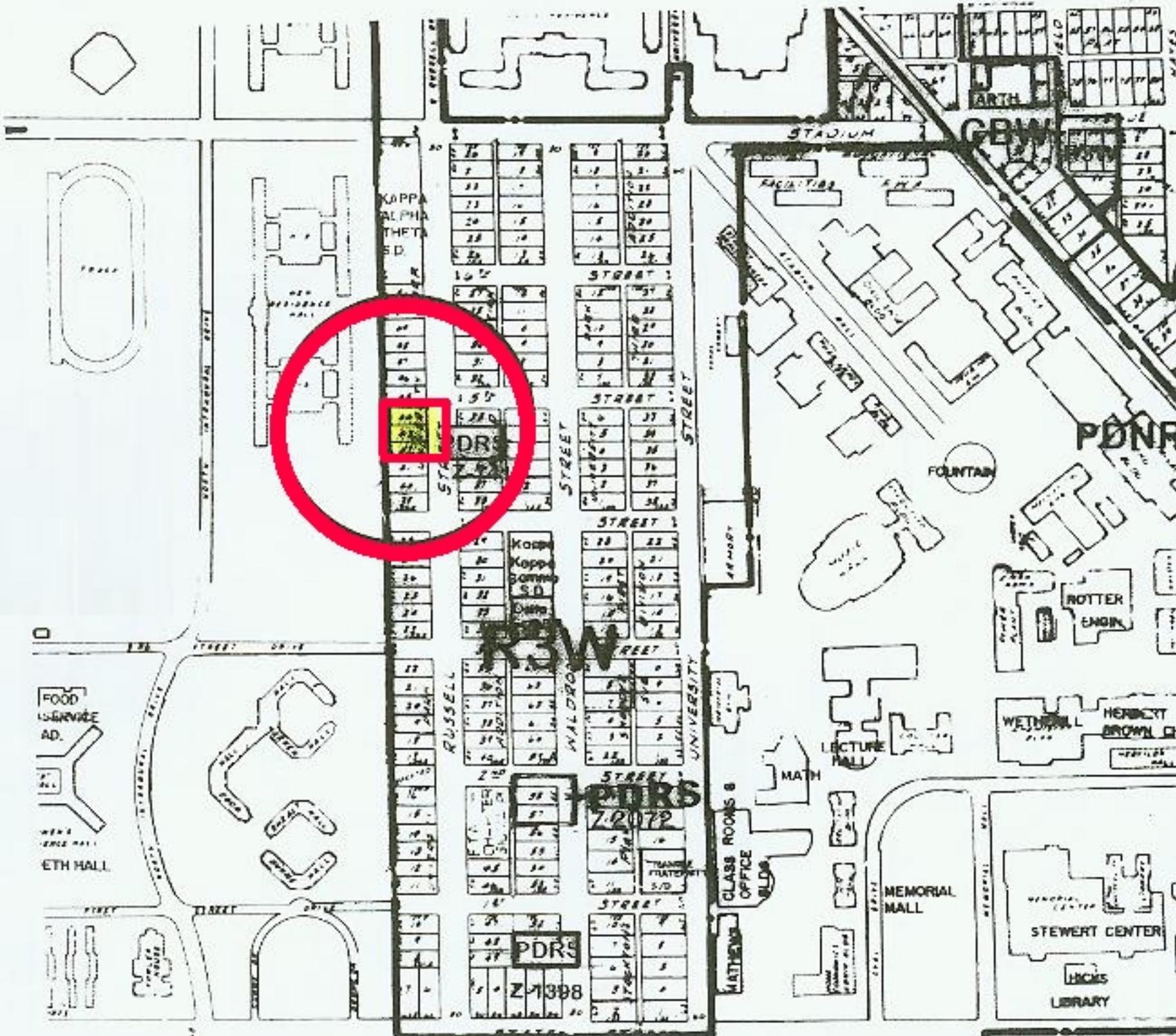
**Note:** Questions 5a. and 5b. need only be answered if a hardship is found in Question 5 above.

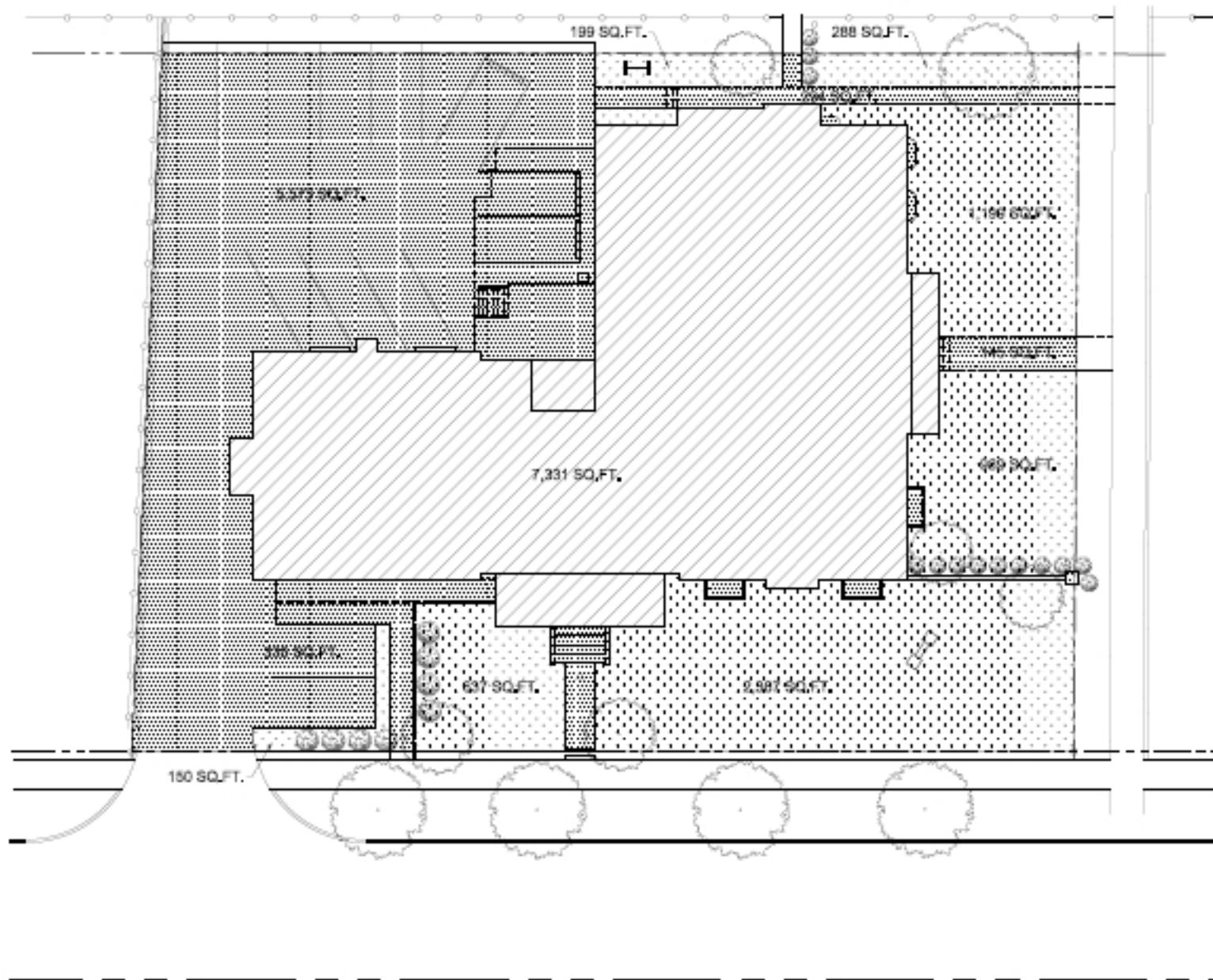
5a. The hardship involved **IS** self-imposed because it is petitioner's desire to replace existing green space with a 467 sq. ft. patio.

5b. The variance sought **DOES NOT** provide only the minimum relief needed to alleviate the hardship because minimum relief would either be for just the porch remodels and sidewalk work (vegetative coverage of 29.2%) or for the existing minimum vegetative coverage of 29.3%.

**STAFF RECOMMENDATION:**

Denial





EXISTING SITE PLAN   
 SCALE 1" = 10'-0"

LOT AREA: 20,094.5 SQ.FT.

HARDSCAPE 8,882 SQ.FT.  
 BLDG. LOT COVERAGE 7,331 SQ.FT.  
 GREEN SPACE 5,881.5 SQ.FT. (29%)

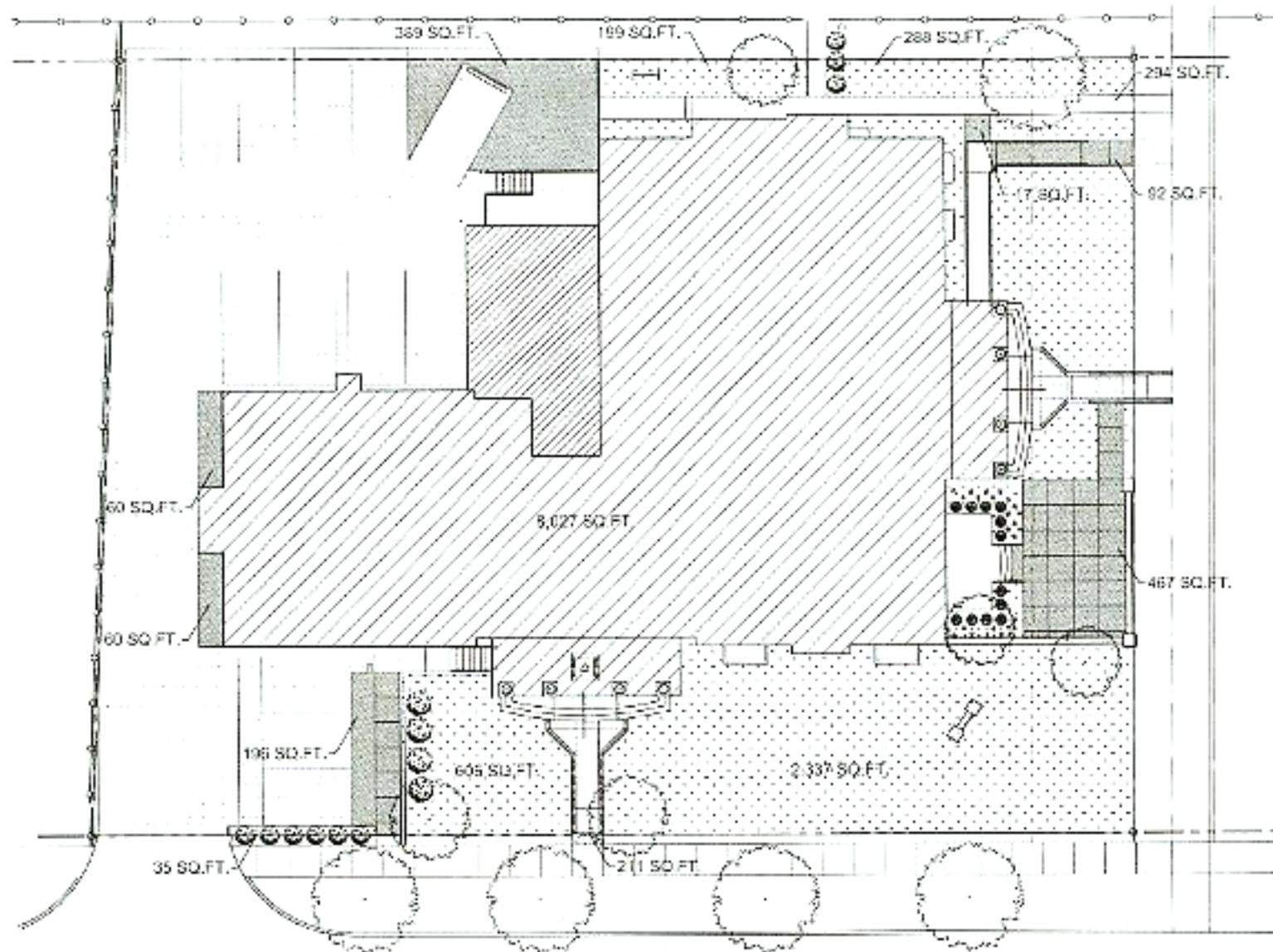
NO.	REV.	DATE	DESCRIPTION
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**RDS Design, Inc.**  
 COMMERCIAL & RESIDENTIAL DESIGN  
 PLANNING & ENGINEERING  
 rdsdesign.com  
 1815 DUNSTON STREET, LAFAYETTE, INDIANA 47904  
 317.242.1400 • FAX 317.242.1401

PROJECT NO. 2024-001

EXISTING SITE AREA  
 SHEMA KAPPA SORORITY  
 427 RUSSEL STREET WEST LAFAYETTE, INDIANA

DATE: 08/20/24  
 DRAWN BY: J. SMITH  
 CHECKED BY: M. JONES  
 PROJECT NO.: C-0523  
 EX. SITE AREA



**PROPOSED SITE PLAN ( ADDING GREEN SPACE )**

SCALE: 1" = 10'-0"

LOT AREA: 28,094.5 SQ. FT.

HARDSCAPE ..... 6,093 SQ. FT.  
 BLDG. LOT COVERAGE 8,027 SQ. FT.  
 GREEN SPACE ..... 5,977.5 SQ. FT.

NO.	DATE	DESCRIPTION

**RDS Design, Inc.**  
 COMMERCIAL & RESIDENTIAL DESIGN  
 PLANNING & ENGINEERING  
 www.rdsdesign.com  
 1615 UNION STREET, JAFAYETTE, INDIANA 47502  
 (317) 336-1111

PROJECT NO. 14-001

SITE AREA GREEN SPACE  
 SIGMA KAPPA SOCIETY  
 427 RUSSEL STREET WEST JAFAYETTE, INDIANA

DATE	BY	CHECKED	DATE

**SITE AREA**